

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON WEDNESDAY, FEBRUARY 9, 2022 AT 5:30 P.M. IN THE CITY OF LAS VEGAS
COUNCIL CHAMBERS**

MAYOR: Louie A. Trujillo

COUNCILORS: Michael Montoya
David Romero
Elaine Rodriguez
David Ulibarri, Jr.

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo took the opportunity to thank all the hard working City employees, he informed the Streets Dept. staff were out all night with both snowstorms and thanked them and all who were involved in that. He also thanked Police Officers, Fire Department and Clerical staff for their hard work as well.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was a recommendation to amend the agenda, removing business item No. 4 which would be placed on next week's agenda.

Mayor Trujillo asked for the reason for the amendment to the agenda.

City Clerk Fresquez advised that the Finance Director needed to make some amendments to the resolution.

Councilor Romero made a motion to approve the agenda as amended. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
Elaine Rodriquez	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

Mr. Rod Billingsley gave public input regarding his Aircraft Hangar Lease Agreement.

Dr. Bill Brainard spoke regarding his Aircraft Hangar Lease Agreement.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo advised they were working on supporting and assisting residents near the Samaritan House as well as working on the homeless situation with the City Manager and Police Chief. He stated they would be doing everything possible to help residents and business owners. Mayor Trujillo further advised the Council had been lobbying at the state legislature and working on getting funding from the Department of Finance and Administration and thanked the Councilors for attending.

COUNCILORS' REPORTS

Councilor Rodriquez informed she attended the legislature along with her students who were working on solar energy and they spoke on behalf of Highlands University and the City of Las Vegas. She stated that they are all working

on different areas to represent the City as a whole and agreed that there were many issues regarding the Samaritan House that needed to be addressed. Councilor Rodriquez mentioned that everyone was loving the ice skating rink, that she had received many complaints regarding the reverse parking in the Plaza area, and she discussed some of the issues and recommended reconsideration of the parking.

Councilor Montoya informed the public about the two forums previously held by City Attorney Aaron and City Clerk Fresquez in regard to the Charter amendments on the upcoming election and that only two people showed up. He advised the Chamber of Commerce invited him to speak on KNMX radio on February 15, 2022 along with the City Attorney and City Clerk to discuss the Charter amendments and advised that sample ballots were available at City Hall.

Councilor Romero reported that he, City Manager Maestas and Councilor Montoya met with the Governor's staff and discussed the priority of the dam in regards to an expected severe drought situation. He also mentioned that he wanted to answer to many calls and emails received from the community stating that the City does not provide animal control services, he wanted to clarify that those services were being provided by other available City staff. He advised Mayor Trujillo that he read through the contract and there were some issues in it that needed to be addressed and assured that recruitment of animal control officers was taking place.

Councilor Ulibarri, Jr. thanked City Manager Maestas and Streets Department staff for their continued work on improvements to several west side streets.

CITY MANAGER'S REPORT

City Manager Leo Maestas gave a detailed report regarding the following projects:

1. New Hires (4)
2. New Businesses (3)
3. Community Events
4. Business License (Arrears)
5. Great Blocks Groundbreaking (3/2/22)
6. PSAs: Water Breaks, Fire Prevention: SW Trucks, Plaza area Street Project updates)
7. Discussion-Under utilized City properties for sale
8. Ice Skating Rink Closure (February 14, 2022)

Discussion and questions took place regarding the options of purchasing a tent for the ice skating rink, availability of City owned properties and upcoming Mother's Day Plaza Park event.

PRESENTATIONS

Ms. Anna Bannon with Nexamp provided a detailed overview of a proposal to lease City property to install a solar farm via zoom.

Brief discussion and questions took place regarding operational fees, PRC Credits, water lines and job opportunities.

Mayor Trujillo advised further discussion would take place and thanked Ms. Bannon for the informative presentation given.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes of January 12th and January 19th, 2022. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo commended the City Clerk's Office staff for a job well done on preparing the meeting minutes, he thanked Danielle Sena for all her hard work.

CONSENT AGENDA

1. Approval of Addendum #1 to Contract #3717-21 with James, Cooke & Hobson, Inc. for the Flygt pump maintenance service in various City facilities on an as needed basis.

Utilities Director Maria Gilvarry informed that the Request for Proposal 2021-11 was awarded on 2/10/21 and Agreement #3717-21 was signed on 3/11/21. The

extended term for this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

2. Request approval of Addendum #1 to Contract #3721-21 with AGM Konstruktion & Environmental Services, Inc. for hazardous material clean up and removal on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2021-13 was awarded on 3/10/21 and Agreement #3721-21 was signed on 3/19/31. The extended term of this agreement will be for 1 year. The item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

3. Request approval of Addendum #3 to Contract ##3520-19 with Hays Plumbing & Heating, Inc. for plumbing services in various City Facilities on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2019-09 was awarded on 2/27/19 and Agreement #3520-19 was signed on 2/27/19. The extended term of this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

4. Request approval of Addendum #3 to Contract #3521-9 with The Electric Horseman, Inc. for electrical services in various City Facilities on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2019-08 was awarded on 2/27/19 and Agreement #3521-19 was signed on 2/27/19. The extended term of this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

5. Approval to award bid #2022-21 Re-Bid Clarifloc C-358 Polymer to Polydyne Inc.

Utilities Director Gilvarry informed this bid was advertised in the Las Vegas Optic, Albuquerque Journal and City Website. There was one (1) proposer. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

Councilor Romero made a motion to approve the Consent Agenda.

Councilor Montoya advised he wanted to make an amendment regarding #3 on Consent Agenda, to the contract on page 4, #8, second paragraph on the second sentence to state "*City Manager*" instead of "*City*".

Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Elaine Rodriguez	Yes
David Romero	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request approval to Publish Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled "Automated Speed Enforcement".

City Attorney Scott Aaron advised this is a system that utilizes an instrument that detects a speeding violation through camera and electronic speed detection equipment.

Councilor Romero informed that the intent of the ordinance was to aid the Police Department in monitoring speeders due to the department not being at full capacity. He advised it would eliminate speed bumps in many neighborhood streets and felt this was one way to address the issue of speeding and stated that the data would be reviewed by a Police Officer before handing out citations and that it would be legal.

Councilor Ulibarri, Jr. made a motion to approve to Publish Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled “Automated Speed Enforcement”. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Ulibarri, Jr.	Yes
Michael Montoya	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

2. Request approval to Publish Ordinance No. 22-02, an ordinance to amend the code of the City of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled “Expenditure Accounting Report”.

City Attorney Aaron advised the City of Las Vegas will require any recipient of funds to provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and the City’s Finance Department with such EAR being signed and submitted under penalty of perjury by the recipient. He added it was a framework for organizations to be accountable and would provide transparency.

Councilor Romero added that accountability by profit and nonprofit agencies had been an issue in the past although this Council had made sure it was a priority and now the community would know where funding given by the City would be spent regarding this proposed ordinance.

Mayor Trujillo thanked Councilor Romero and City Attorney Aaron for their work on this proposed ordinance.

Councilor Romero made a motion to approve to publish Ordinance No. 22-02, an ordinance to amend the code of the city of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled “Expenditure Accounting Report”. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Elaine Rodriquez	Yes
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David Romero

Yes

David Ulibarri, Jr.

Yes

City Clerk Fresquez advised the motion carried.

3. Request approval of Resolution #22-06, budget adjustment in the 2021-2022 fiscal Year budget.

Finance Director Jesus Baquera advised the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal year budget to include a revenue and expense increase to Fund 101 General Fund in the amount of \$45,500.00. A revenue and expense increase to Fund 214 Streets COOP in the amount of \$3,824,686.00. Mr. Baquera informed that the \$45,500.00 was for the Deputy Chief City Manager and the \$3,824.00 was for the street fund, Legion Drive.

Councilor Montoya made a motion to approve of Resolution #22-06, budget adjustment in the 2021-2022 fiscal year budget. Councilor Ulibarri, Jr. seconded the motion.

Resolution 22-06 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-06

A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE
2021-2022 FISCAL YEAR

WHEREAS, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

WHEREAS, said budget was developed on basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include an increase to revenue and expenditure

increase to Fund 214 Streets COOP in the amount of \$3,854,686. An increase to revenue and expenditure to Fund 101 General Fund in the amount of \$45,500,

WHEREAS, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

NOW, THEREFORE BE IT RESOLVED the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned budget adjustment request and respectfully request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this _____ day of February 2022.

Mayor Louie A. Trujillo

ATTEST: Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Elaine Rodriquez	Yes
Michael Montoya	Yes	Davide Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

(Removed)

4. Request approval of Resolution #22-07 repealing and replacing Resolution #21-44, a budget adjustment in the 2021-2022 fiscal year budget.

Finance Director Baquera advised the City of Las Vegas is in need of replacing resolution 21-44 with Resolution 22-07 to include a revue decrease fo Fund 435 in the amount of \$7,330.00; expense decrease to Fund 435 in the amount of \$5,124.00; revenue decrease to Fund 217 in the amount of \$25,360; expense

decrease to Fund 217 in the amount of \$25,360.00; revenue increase to Fund 217 in the amount of \$4,335,661; expense increase to Fund 217 in the amount of \$4,335,661.00; revenue increase to Fund 433 in the amount of \$20,000.00; expense increase to Fund 433 in the amount of \$20,000.00; expense increase to Fund 104 in the amount of \$10,000.00; expense increase to Fund 101 General Fund Dept. 5110 Parks in the amount of \$13,362.00; A revenue and expense increase to Fund 218 Street COOP in the amount of \$21,510.00.

5. Request approval to award RFB #2022-19 for the Hot Springs Blvd. water & sewer utility improvements to Hays Plumbing & Heating, Inc.

Utilities Director Maria Gilvarry took the opportunity to disclose that her son was employed with Hays Heating & Plumbing.

Utilities Director Gilvarry advised this bid was advertised in the Las Vegas Optic, Albuquerque Journal and city Website. There were two (2) bids. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

Councilor Ulibarri, Jr. made the motion to approve to award RFB #2022-19 for the Hot Springs Blvd. water & sewer utility improvements to Hays Plumbing & Heating, Inc. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriguez	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

6. Request approval to proceed with the Professional Services Agreement between the City of Las Vegas and Arch Consulting.

City Manager Maestas advised the consultant services would include consultation and project management in the area of legislative appropriations and capital outlay, grant writing, development and preparation of policy writing, provide and conduct trainings to City staff and stakeholders and preparation for presentations.

He advised they reached out to Robert Archuleta with Arch Consulting, who had been employed with the City providing service to managing capital outlay projects, ICIP projects and he also went on to work for the County and would utilize his grant writing skills.

Councilor Romero made a motion to approve to proceed with the Professional Services Agreement between the City of Las Vegas and Arch Consulting. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresuez advised the motion carried.

7. Request approval of a lease agreement with Rod Billingsley for hangar space (airport layout plan building 10) at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Billingsley would like to renew his lease agreement with the newly updated land lease agreement for the purpose of storing an aircraft.

Lengthy discussion and questions took place regarding the increased lease amount, term of the agreement, liability. Also discussed was the inclusion of auditing documentation (GASB 87) to the agreement to justify the increased lease amount.

Councilor Montoya advised he supported the agreement, was thankful to the gentlemen for their part in keeping up the airport hangars and made a motion to approve the lease agreement with Rod Billingsley for hangar space (airport layout plan building 10) at the City of Las Vegas Municipal Airport. Councilor Ulibarri, Jr. seconded the motion. Mayor Truillo asked for roll call. Roll Call Vote was taken and reflected the following:

Councilor Romero stated he had concerns in regard to the lack of including auditing documentation (GASB 87).

David Romero	No	Elaine Rodriquez	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo asked City Attorney Aaron to make sure they were good with the GASB 87, that it was documented in his files of when he did the discovery for the contracts.

City Attorney Aaron advised that he would request in writing from different regional airports and get some price comparisons.

8. Request approval of a lease agreement with Cary Lane for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Lane would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Cary Lane for up to 10 years of hangar space at the City of Las Vegas Municipal Airport. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Elaine Rodriquez	Yes
David Ulibarri, Jr.	Yes	David Romero	No

City Clerk Fresquez advised the motion carried.

9. Request approval of a lease agreement with Bill Brainard for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Brainard would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Bill Brainard for up to 10 years of hangar space at the City of Las Vegas Municipal

Airport. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriquez	Yes	David Romero	No

City Clerk Fresquez advised the motion carried.

10. Request approval of a lease agreement with Gabriel Vigil for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Vigil would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Gabriel Vigil for up to 10 years of hangar space at the City of Las Vegas Municipal Airport. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	No	Elaine Rodriquez	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya noted that by doing this tonight, they would be in good standing with the applications for improving economic development and obtaining funding.

EXECUTIVE SESSION

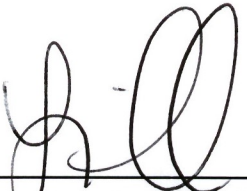
Councilor Romero made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Rodriquez seconded the motion. Mayor Trujillo asked if all were in favor. All were in favor.

Councilor Romero made a motion to return to Regular Session, he advised that only discussion stated in the motion took place and no votes were taken.

Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked if all were in favor. All were in favor.


ADJOURN

Councilor Romero made a motion to adjourn. Mayor Trujillo asked if all were in favor. All were in favor.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk